

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING  
REGULAR SESSION  
COMMISSIONERS MEETING ROOM  
107 W. Locust Street, Suite 303  
Boonville, Indiana  
January 13, 2014  
4:00 P.M.

The Warrick County Commissioners met in regular session with Don Williams, President, Richard Reid, Vice President and Marlin Weisheit, Member.

President Don Williams called the meeting to order.

Auditor Secretary, Angie Leslie, recorded the minutes. First Deputy Auditor, Allan James was in attendance.

PLEDGE OF ALLEGIANCE

**AREA PLAN COMMISSION**

**REQUEST FOR EXTENSION OF SURETY**

**Wyngate Subdivision Sec. B** by Barrington Development Group, Bruce Miller, Pres.~ Streets, Sidewalks and Drainage Construction ~ Requesting a one year extension with no reduction of \$17,149.53 for streets, \$9,153.72 for sidewalks and \$6,868.03 for drainage. Has had 8 years; therefore they are also requesting a modification from the Subdivision Control Ordinance for streets and drainage. LOC expires 2/10/14.

Don Williams: Okay, we have some Area Planning Business, Sherri, do you want to go ahead and start with that?

Sherri Rector: Sure. The first item...well, all of the items are Requests for Extension of Surety. The first subdivision is Wyngate Subdivision Section B by Barrington Development Group, Bruce Miller, President. This is for Streets, Sidewalks and Drainage Construction they are requesting a one (1) year extension with no reduction of seventeen thousand one hundred forty nine dollars and fifty three cents (\$17,149.53) for streets, nine thousand one hundred fifty three dollars and seventy two cents (\$9,153.72) for sidewalks and six thousand eight hundred sixty eight dollars and three cents (\$6,868.03) for drainage. They have had eight (8) years; therefore they are requesting a modification from the Subdivision Control Ordinance for streets and the drainage. Letter of Credit expires on February 10, 2014.

Bruce Miller: Bruce Miller, President of Barrington Development. We are in the process in this particular area of the letter of credit which is Wyngate B, putting in the retention basin per the specification of the Drainage Board. We ran out of time this year with the weather getting bad, we probably have only twenty five percent (25%) left on completing that retention basin. We've been working with the Warrick County Engineer's on that and hope to have something done in early spring as soon as things dry up for the review of the Warrick County Engineer. So that particular phase of the letters of credit should go away when I come back a year from now; there should not be anything on the letter of credit for that. We are contemplating, depending on what the sales are this summer, being able to do the asphalt work, which would eliminate that part of the letter of credit. The only outstanding letter of credit then should be for the sidewalks. So the goal is that we have enough sales that we will be able to finish that asphalt work in this next twelve (12) months. But definitely the retention bason will be completed. I asked for a one (1) year extension.

Don Williams: We've had...you may be aware of it but we've had a few of those residents complain about drainage...

Bruce Miller: Um-hm.

Don Williams: And to be honest with you if it doesn't get done we need to take the money and get it done. And I don't have a problem with giving you a year extension on the road...I'm talking personally, I don't know about the other two (2) Commissioners, a year on the roads and the sidewalks and six (6) months on the drainage. Is that agreeable? That'd give you until the end of July. And you're telling me you can get it done probably in a few months so...

Rick Reid: You said twenty five percent (25%) of it.

Bruce Miller: Yeah, I can do that.

Don Williams: You're okay with that?

Bruce Miller: That's fine.

Don Williams: You two (2) have anything to say?

Marlin Weisheit: No, I agree with that.

Rick Reid: That's reasonable.

Marlin Weisheit: Bruce can get it done by then so...

Don Williams: Entertain a motion.

Marlin Weisheit: I'd make that a motion, what you just said as far as a year on the Road and Sidewalks and until the end of July on the Drainage.

Rick Reid: Six (6) months.

Don Williams: Okay, I have a motion. Do I have a second?

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries.

Bruce Miller: Thank you.

Marlin Weisheit: Thank you, Bruce.

Rick Reid: Thanks, Bruce.

**Waterstone Village Sec. I** by Maken Corporation, Daniel Ubelhor, Pres. ~ Sidewalk Construction ~ Requesting a one year extension with a reduction from \$3,492.00. Has had eleven years; therefore they are also requesting a modification from the Subdivision Control Ordinance. LOC expires 3/17/2014.

Sherri Rector: The next subdivision is Waterstone Village Section I by Maken Corporation, Danny Ubelhor, President, Sidewalk Construction, Requesting a one (1) year extension with a reduction from three thousand four hundred ninety two dollars (\$3,492.00). I don't know what the reduction is...it may be stated wrong; has had eleven (11) years therefore they are requesting a modification from the Subdivision Control Ordinance. The Letter of Credit expires March 17, 2014.

Don Williams: Okay, is there somebody here to represent this? If you would come, state your name and your relationship.

Steve Ubelhor: Steve Ubelhor, Vice President of Maken Corporation. I'm just requesting a year extension on the sidewalks because lots aren't selling as good as we would have hoped.

Don Williams: How many lots you got left? This is in Waterstone, right?

Steve Ubelhor: Yes.

Don Williams: Section I?

Sherri Rector: Section I.

Don Williams: A half? A third of the...?

Steve Ubelhor: Oh, gosh...

Don Williams: Best guess; we're not going to hold you to it.

Steve Ubelhor: They're probably just a third left, probably.

Don Williams: Okay...

Sherri Rector: And Don, it should say 'with no reduction requested'.

Don Williams: So it's currently at the thirty four ninety two (\$3,492.00)?

Sherri Rector: Yes.

Don Williams: Okay, and it's sufficient I assume, Mr. Engineer?

Bobby Howard: Yes, the dollar amount is sufficient.

Don Williams: Okay, any questions? If not I entertain a motion.

Rick Reid: I'll make a motion for a one (1) year extension on the Sidewalks on Waterstone Village Section I.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries. Thank you.

Steve Ubelhor: Thank you.

Marlin Weisheit: Thank you, Steve.

**Enclave @ Woodfield PUD** by R.A. McGillem Custom Homes, LLC, R.A. McGillem, Mbr. ~ Entrance Construction ~Has had four (4) years. Requesting a one year extension with no reduction of \$621.00 surety. Time expiration 2/22/2013.

Sherri Rector: The next one is the Enclave at Woodfield PUD by R.A. McGillem Custom Homes, LLC, R.A. McGillem Member. This is for the Entrance Construction; he has had four (4) years, requesting a one (1) year extension with no reduction of six hundred twenty one dollar (\$621.00) surety. The time expires on February the 26...

Roger Emmons: It says the 22<sup>nd</sup> here.

Sherri Rector: I meant 22<sup>nd</sup>...

Don Williams: So it's the 22<sup>nd</sup>...?

Sherri Rector: It's the 22<sup>nd</sup> of 2014 not 2013.

Don Williams: Alright, let's back up; since you're confused.

Sherri Rector: February the 22<sup>nd</sup>, 2014.

Don Williams: Okay, thank you.

Rick Reid: And this is just for an entrance?

Sherri Rector: Just for the entrance of where those, I'll call them patio type homes are there within the gated community.

Rick Reid: Is six hundred twenty one dollars (\$621.00) enough?

Sherri Rector: Bobby?

Bobby Howard: Yeah, the surety is enough. I'm not sure as to why it hasn't been done. At this time I believe he's done some of the rest of the asphalt in his development but he's not put surface on the entrance; it's just the entrance area, about a ten (10) foot strip.

Rick Reid: That's incredible.

Sherri Rector: In his letter he says 'we are making this request because there has been less than seventy five percent (75%) of the lots that have been issued in the improvement location permit and real estate economics has not allowed enough lot sales to justify finishing the entrance at this time'.

Don Williams: Okay.

Roger Emmons: Enough said.

Sherri Rector: That's what he says.

Rick Reid: And Ron's not here.

Sherri Rector: No, he sent an email; said he was not going to be able to attend.

Don Williams: Alright...

Rick Reid: I'll make a motion to approve the extension for one (1) more year.

Marlin Weisheit: I'll second it.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion passes. Thank you.

Sherri Rector: That's all I have, thank you.

## **ITEMS FOR DISCUSSION**

### **Commissioners' Resolution 2014-02 - Payroll Session Meetings**

Don Williams: Okay, Items for Discussion, the first item we have is Commissioners' Resolution for our Payroll Meetings, I think I have that here somewhere...

Roger Emmons: Mr. President that will be Resolution 2014-02.

Don Williams: Resolution 2014-02, okay. Do we need to read this or just state the dates?

Roger Emmons: I would defer to, Counselor.

Todd Glass: They would normally would read them, correct?

Don Williams: Normally we would read it at least by the title and state the dates.

Todd Glass: That would be sufficient in my view.

Don Williams: Okay, Warrick County Commissioners Resolution, it's not an Ordinance, it's a Resolution so I'm not even sure we have to read it. Basically according to the Code we have to establish payroll dates and these are the payroll dates for 2014.

WARRICK COUNTY COMMISSIONERS RESOLUTION 2014-02

WHEREAS, Indiana Code 36-2-2-6 provides that the Board of Commissioners shall by resolution at the first meeting in January of each year, establish dates of regular meetings to be held throughout the year;

AND WHEREAS, the Commissioners desire to establish their meeting dates to approve payroll claims for the calendar year of 2014;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Warrick County that said Board shall hold regular meetings to approve payroll on the dates and times as hereinafter set forth:

|          |                    |        |
|----------|--------------------|--------|
| THURSDAY | JANUARY 2, 2014    | 3:30PM |
| THURSDAY | JANUARY 16, 2014   | 3:30PM |
| THURSDAY | JANUARY 30, 2014   | 3:30PM |
| THURSDAY | FEBRUARY 13, 2014  | 3:30PM |
| THURSDAY | FEBRUARY 27, 2014  | 3:30PM |
| THURSDAY | MARCH 13, 2014     | 3:30PM |
| THURSDAY | MARCH 27, 2014     | 3:30PM |
| THURSDAY | APRIL 10, 2014     | 3:30PM |
| THURSDAY | APRIL 24, 2014     | 3:30PM |
| THURSDAY | MAY 8, 2014        | 3:30PM |
| THURSDAY | MAY 22, 2014       | 3:30PM |
| THURSDAY | JUNE 5, 2014       | 3:30PM |
| THURSDAY | JUNE 19, 2014      | 3:30PM |
| THURSDAY | JULY 3, 2014       | 3:30PM |
| THURSDAY | JULY 17, 2014      | 3:30PM |
| THURSDAY | JULY 31, 2014      | 3:30PM |
| THURSDAY | AUGUST 14, 2014    | 3:30PM |
| THURSDAY | AUGUST 28, 2014    | 3:30PM |
| THURSDAY | SEPTEMBER 11, 2014 | 3:30PM |
| THURSDAY | SEPTEMBER 25, 2014 | 3:30PM |
| THURSDAY | OCTOBER 9, 2014    | 3:30PM |
| THURSDAY | OCTOBER 23, 2014   | 3:30PM |
| THURSDAY | NOVEMBER 6, 2014   | 3:30PM |
| THURSDAY | NOVEMBER 20, 2014  | 3:30PM |
| THURSDAY | DECEMBER 4, 2014   | 3:30PM |
| THURSDAY | DECEMBER 18, 2014  | 3:30PM |

THIS RESOLUTION PASSED AND ORDAINED THIS 13<sup>TH</sup> DAY OF JANUARY, 2014.

WARRICK COUNTY  
BOARD OF COMMISSIONERS

  
Don Williams, President

  
Richard A. Reid, Vice-President

  
Marlin Weisheit, Member

ATTEST:  
  
L. B. Dugan, Auditor

Don Williams: I entertain a motion on Resolution 2014-02.

Rick Reid: I'll make a motion for approving Commissioner Resolution 2014-02; the Payroll Session Meetings.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

DEPARTMENTAL REPORTS

COUNTY ADMINISTRATOR

Sick Day Reimbursement ~ Erik Frazier

Don Williams: Departmental Reports, Roger.

Roger Emmons: Thank you, Mr. President. The first item I have is Sick Day Reimbursement for our former Computer Resource Manager. Auditor's Office certifies through the Employee Service Record that Erik had five (5) sick day eligible for reimbursement, eight hundred thirty eight dollars and fifty cents (\$838.50). Need a motion to approve and the Commissioners' signatures on the Payroll Form.

Don Williams: Okay, I entertain a motion.

Marlin Weisheit: I'll make a motion to pay them.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

**Commissioners' Resolution 2014-03 ~ A Resolution Establishing the Intent to Conduct a Commissioners' Sale to Sell Tax Sale Certificates for Properties that are Severely Delinquent in Payment of Property Taxes**

Roger Emmons: The next item will be Commissioners Resolution 2014-03; it's a Resolution Establishing the Intent to Conduct a Commissioners' Sale to Sell Tax Sale Certificates for Properties that are severely delinquent in payment of property taxes. Don and I sat down a while back to establish the "Minimum Bid Amount" which goes on Exhibit "A" which is part of the resolution, which the resolution is required. We did find out today from Cheyenne in the Auditor's Office that Marlin brought it up because he's aware that the Town of Chandler has a number of liens on some of these properties and so I do have those amounts and the commissioners can either decide to leave the original certificate amount or reduce it to the lien amount. There are eighteen (18) total parcels; nine (9) in the City of Boonville, one (1) in the Town of Tennyson and eight (8) in the Town of Chandler. So, do you have your list with you?

Marlin Weisheit: I do.

Don Williams: No.

Roger Emmons: Okay, if you'll check on page three (3)...

Don Williams: Let me get mine, it's just sitting in there on my desk.

Roger Emmons: Okay, if you look at the column on the far right, the Minimum Bid Amount Approved by Warrick County Commissioners, the third property down, we see original certificate amount is ten thousand three twelve forty four (\$10,312.44) the amount of the lien on that is nine thousand nine zero eight eighty six (\$9,908.86).

Don Williams: What page did you say?

Roger Emmons: Page three (3) of twelve (12).

Marlin Weisheit: My thought on this, Roger, as we go through this, we keep the lien and then add a thirty five dollar (\$35.00) fee.

Don Williams: I think the advertising fee is...

Marlin Weisheit: Thirty five (\$35.00).

Don Williams: Would be good, yeah.

Roger Emmons: I mean it's the Commissioners' decision.

Marlin Weisheit: That's how I feel.

Don Williams: I would agree with that.

Marlin Weisheit: that protects the City and the Towns' interest because some of these houses they've actually had razed.

Don Williams: Do we need to get a calculator?

Roger Emmons: No, I mean, we can do it after the fact if you just want to make the motion to do it that way and I can calculate them after the meeting.

Don Williams: Yeah, I'm agreeable with doing the lien plus thirty five (\$35.00).

Marlin Weisheit: Cause we have eighteen (18) properties you say that actually have liens...

Roger Emmons: Eighteen (18) parcels that have liens.

Marlin Weisheit: Yeah, and I don't want to do away with their liens. It just makes it cleaner and then add thirty five dollars (\$35.00) to those liens and maybe we'll have some takers.

Don Williams: Okay, make that a motion and we'll do it.

Marlin Weisheit: I'll make that motion.

Don Williams: Okay, I have a motion to...these eighteen (18) properties have liens to charge a lien fee plus thirty five (\$35.00).

Rick Reid: I'll second that.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0). Thank you.

Roger Emmons: Very good.

Marlin Weisheit: Thanks for taking care of that today, Roger.

Roger Emmons: That was a quick fix on that so that's good. Alright, on the next item...

Don Williams: Yeah, we are approving Resolution 2014-...

Roger Emmons: Yes, you still have to approve the resolution.

Don Williams: I need a motion to approve the Resolution 2014-03. Resolution to Establish the Intent to Conduct a Commissioners' Sale to Sell Tax Certificates for Properties.

Rick Reid: And I'll make a motion to approve Commissioner Resolution 2014-03; A Resolution to Establish the Intent to Conduct a Commissioners' Sale to Sell Tax Sale Certificates for the Properties.

Don Williams: Okay, do I have a second?

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

*Warrick County Commissioners*

*Resolution 2014 - 03*

A RESOLUTION ESTABLISHING THE INTENT TO CONDUCT A COMMISSIONERS' SALE TO SELL TAX SALE CERTIFICATES FOR PROPERTIES THAT ARE SEVERELY DELINQUENT IN PAYMENT OF PROPERTY TAXES.

WHEREAS, there are several properties in Warrick County that are severely delinquent in the payment of property taxes, having been offered for tax sales and which received no bids equal to or in excess of minimum sale price. The parcel numbers of those properties being attached to this resolution as 'Exhibit A', and

WHEREAS, there is an assessed value associated with these properties for taxation purposes, but no taxes are being collected, therefore causing a lower than expected tax distribution to those taxing units and taxing districts within which the properties are located, and

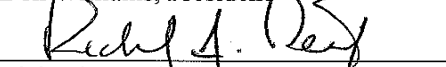
WHEREAS, the Warrick County Commissioners desire to have these properties back on the tax rolls with taxes being collected, and

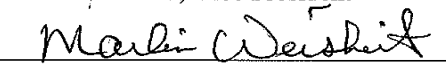
WHEREAS, Indiana Statute, IC 6-1.1-24-6 through IC 6-1.1-24-6.4 allows for the County Commissioners to acquire a lien on those delinquent properties and receive issuance of the tax sale certificates for those properties, without taking title to the properties, therefore limiting the liability and cost normally associated with taking title,

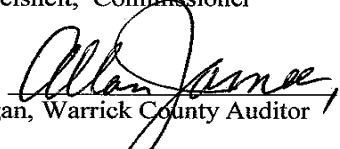
NOW, THEREFORE, BE IT RESOLVED by the Warrick County Board of Commissioners that the County Executive shall acquire liens and receive tax sale certificates of the properties listed on 'Exhibit A' that are severely delinquent and sell said certificates at a properly advertised Commissioner Tax Certificate sale.

Adopted this 13<sup>TH</sup> day of JANUARY, 2014.

  
Don Williams, President

  
Richard A. Reid, Vice President

  
Marlin Weisheit, Commissioner

ATTEST:    
L. B. Dugan, Warrick County Auditor  
Allan Jarman, First Deputy Auditor

**Warrick County HDHP ~ Change Definition of "Retiree" in the Summary Plan Description**

Roger Emmons: The next item, Warrick HDHP, that's the High Deductable Health Plan, Change the Definition of "Retiree" in the SPD that stands for Summary Plan Description. I sent out some emails to Susie, I copied the Board on that on January 9<sup>th</sup>. The changes to Item C. on page 21, the current language states "is at least fifty-five (55) years old on his or her date of retirement, and not eligible for Medicare;". The proposed change is "C. at least fifty-five (55) years old on his or her date of retirement, and not eligible for the County sponsored Medicare Supplement plan;". This change is needed in order to prevent a gap in coverage for those retirees who will be eligible for Medicare before age sixty five (65) and that has just happened with one (1) of our retirees.

Marlin Weisheit: If someone goes on disability is...

Roger Emmons: I'd say so...

Marlin Weisheit: I'd make a motion to change the definition of "Retiree" as you've stated.

Rick Reid: Second.

Don Williams: Actually we're changing and adding that in; I have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries.

Roger Emmons: Thank you, Mr. President.

#### **Annual Covered Bridge Certification**

Roger Emmons: Next is the Annual Covered Bridge Certification required by State Board of Accounts. We are certifying that we have zero (0) covered bridges. You just need a motion to approve the certification and then the Boards' signatures.

Rick Reid: Motion to approve Certification.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries.

Roger Emmons: Thank you.

#### **County Health Insurance ~ Proposed Additional Medical Coverage for ADHA and ADD**

Roger Emmons: I have a few items that didn't get on the agenda if the Commissioners would permit me...County Health Insurance another addition; I received this from Dave Waltz. Proposed additional medical coverage for symptoms of and disorders classified as ADHD and ADD. Dave Waltz sent me an email on January the 8<sup>th</sup> which I forwarded to the Board. Per the Affordable Care Act health plans are required to either cover ADHD and ADD under both the prescription plan and the medical plan, or don't cover them at all. Currently our plan covers the prescription benefit of the medication for those disorders, but does not cover the medical for an example, the initial doctor's office visit for the diagnosis and the prescription of the medicine and then follow-up. So, you have to do one or the other, we can't just keep it the way that it is. So there are your two (2) options.

Don Williams: Any discussion? If not I'll entertain a motion.

Rick Reid: Well, I'll make a motion to just disregard both of those since...if you're going to have to have either...both included or both not; I'll make a motion for not.

Don Williams: Okay, do I have a second?

Marlin Weisheit: I hate to leave anybody out there that really needs the coverage though that's on our...

Roger Emmons: Dave Waltz I had asked him this morning if he could get me a report as to how many of our plan participants have dependants that are on that and I've not received it at this time.

Marlin Weisheit: Is that something we can table?

Don Williams: We could...if you withdraw your motion we could table and see if we have any plan participants on it.

Rick Reid: I'll make a motion to table.

Marlin Weisheit: Yeah, let's just table it and put a little more thought into it.

Don Williams: You withdraw your motion?

Rick Reid: Yes, I'll withdraw my motion.

Don Williams: Okay, Commissioner Reid is withdrawing his motion and made a motion to table until the next meeting which would be January 27<sup>th</sup>.

Marlin Weisheit: I'll make that motion; table it until...

Don Williams: He made the motion to table it.

Marlin Weisheit: I'll second it then.

Don Williams: Okay, we have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries.

Marlin Weisheit: I'd like to put a little more thought into it.

Don Williams: At least we'll know if we got anybody...

Marlin Weisheit: A little more education...

Don Williams: I would say it'd probably be hard for anybody to be prescribed medication if they haven't been treated but...?

#### **Proposed Class on Recycling for Elected Officials and Department Heads**

Roger Emmons: Okay, the next item, Scott Anslinger, who is the Superintendent of our Solid Waste, he would like to hold an educational session for elected officials and department heads regarding recycling Tuesday morning January 28<sup>th</sup> at 9:00 A.M. in the Commissioners Meeting Room. I think it's a real good idea because he thinks, he knows we're throwing away...in looking at the trash they collect from these two (2) buildings that we could reduce our trash by at least fifty percent (50%) if they would just recycle their paper alone, let alone plastic and other items. So I really think...I'd like to get a consensus from the Board to allow Mr. Anslinger to do that.

Don Williams: Absolutely, you have mine.

Marlin Weisheit: You have mine too.

Rick Reid: Mine too.

Marlin Weisheit: Good idea, thank you Roger.

Roger Emmons: Thank you very much.

Don Williams: And I'm not even above passing an ordinance for the county to recycle if I have to and ask our public to do it.

#### **Okay Grove Project, Phase II**

Roger Emmons: The next item that came up this morning has to do with the Oak Grove Project, Phase II, I think Todd and Bobby were also copied on these issues and Rick Bennitt sent down some emails. There are a couple of items we need the Boards' action on.

- a. A determination if the County will provide an assurance letter for the six (6) or so dwelling being made non-conforming for setback distance by the project.

And I think these letters would go out by our County Attorney, Mr. Glass.

Don Williams: Okay, and basically I don't recall doing this before, I'm sure we have, I just don't recall it.

Roger Emmons: Well, I don't think we...

Don Williams: It's basically a letter stating that your house is too close to the road or...

Roger Emmons: No...

Todd Glass: That, yes, Mr. President, if as a result of the project a property becomes...

Roger Emmons: In violation of the Setback Ordinance.

Todd Glass: Yeah, setback, certain acreage requirements for the other property uses and that sort of thing that the county won't actually require them to follow the usual steps to get that...

Roger Emmons: They won't be made to move a building or a shed if it's no longer in compliance with our Setback Ordinance due to the project through no fault of their own.

Rick Reid: Well, it'd save the county a lot of money if we don't make them do that because then we'd have to tear down a building ourselves.

Todd Glass: Right and I believe our Project Manager actually is already indicating he doesn't think that's actually the case in Phase II...

Roger Emmons: Right.

Todd Glass: But I would provide the Assurance Letter on behalf of the Board none the less.

Roger Emmons: So is that okay for that one?

Don Williams: All you need is a consensus probably?

Roger Emmons: I think so. I think that's fine as administratively. And then the second one is a

- b. Confirmation that the sample "Notice to Owner" letter is OK to send.

I reviewed that letter, I'm sure Todd and Bobby have looked at it too. RWS South, Incorporated prepared that letter and they've done many of these for us in the past so Todd responded via email that not to reinvent the wheel, they're the company the property owners are going to be dealing with in the first place and it states clearly on the letter that's being done on behalf of Warrick County and the Warrick County Commissioners as an agent of Warrick County. So if you're okay I can advise Rick Bennitt to have RWS South to proceed with those letters. Did Bobby or Todd, did you see any need for changes in that letter?



Bobby Howard: I didn't see any.

Todd Glass: No, Mr. President, I saw the letter and I concur with its form and it's content.

Don Williams: Okay.

Rick Reid: I'd concur.

Don Williams: Is everybody okay with that? Mr. Weisheit, you okay with it?

Marlin Weisheit: Yes.

Don Williams: You have our consensus.

Roger Emmons: Thank you very much.

### **Old Lillpop Building**

Roger Emmons: Next, I reported the last meeting at the end, the old Lillpop building, the sixty (60) day sale ended in December, no bids received so you can read my suggestions that was planned originally to demolish the building but then it was decided we'd put it off to see if we had any buyers. I do know the Highway Department, maybe not Bobby but some of his foreman and employees have stated to me that they'd like a shot at taking that down. It probably would save the county about anywhere from fifteen to sixteen thousand dollars (\$15,000.00-\$16,000.00) if we did it with our own forces. But as Bobby as the Superintendant he would direct the forces unless the Commissioners directed him to do so.

Rick Reid: You mean we can't blow it up?

Don Williams: It's not tall enough.

Rick Reid: I know no excitement...

Roger Emmons: So that's informational, I don't know if the Board wants to act on it today, it's not necessary.

Rick Reid: I'd say we ought to get moving.

Don Williams: I think we ought to act on it and let Bobby kind of schedule it.

Rick Reid: I make a motion to tear it down.

Bobby Howard: We'll have to rent a long reach excavator for some of it and I'll have to get the price together for that to let you know what they'll be versus what it would be contracted out.

Don Williams: That would be good.

Marlin Weisheit: We had quotes on it before.

Bobby Howard: I'm sure I'd just be a week.

Don Williams: I think we can make the decision to go ahead and demolish the building...

Roger Emmons: Rick made a motion to do that...

Don Williams: Yeah, with the intent to let the Highway do it if they have the...if it's the most economical of the two (2) ways.

Rick Reid: We tried to let somebody buy it but no one wanted to so...

Don Williams: Yep, I have motion, do I have a second? Did you second that?? You don't want to tear it down? Do you want to buy it?

Marlin Weisheit: I don't want to buy it.

Don Williams: Do you want to tear it down?

Marlin Weisheit: I'm still thinking.

Don Williams: Do I have a second? I'll second the motion. I have a motion and a second they can go ahead and demolish the old Lillpop building matter to be determined at a later meeting after we hear from Bobby on the rental charges.

Roger Emmons: You need to vote on the motion.

Don Williams: I just seconded it.

Roger Emmons: Huh?

Don Williams: I just seconded the motion.

Roger Emmons: I know, I know.

Don Williams: Do you want to sit over here?

Roger Emmons: I'm able to.

Don Williams: I have a motion...you should yeah; I have a motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Roger Emmons: Okay, thank you very much.

Don Williams: He just wanted me to make a motion; I knew what he was after.

Marlin Weisheit: I'm proud of you.

#### **Declaration of Item as Surplus and Junk**

Roger Emmons: Alright, a couple more quick items, next is Declaration of an Item as Surplus and Junk that's old cabinets in the Courthouse basement. These are going on thirty (30) years old; they were originally built when the Area Plan Commission was in that Nurses Office. Marlin and Don took a look at them today, they said they look like they're from...or at least Marlin said they look like 1970's type design...

Don Williams: Yeah, they're old.

Roger Emmons: They're doing some cosmetic work in the Nurses' Office, painting and Aaron Franz is the Health Department Administrator, he wants to replace those cabinets with some newer, more secure models and so he just wanted the guys to tear it down and get them out of there but we need to...

Don Williams: I don't think that's his decision.

Roger Emmons: No, it's not.

Don Williams: I would go along and think we probably ought to declare that surplus; both of them; Commissioner Weisheit and I looked at them both this afternoon and send them up to Johnny Ray to be auctioned. Is that okay with you?

Marlin Weisheit: That's fine with me and also we ought to check with some of the excess furniture at the Harbor House, there's a room full of it out there if we can include that in, I don't think that's ever been declared surplus out there has it?

Roger Emmons: No, I don't think it has, I'll check on it but I'll need to get a detailed list of those things for you to do so, if you haven't already, it's been awhile...

Marlin Weisheit: A lot of access stuff out there we just need to get rid of, cause there's a room full of it there and it's just taking up space and not that we need that space now but we may as well clear it out in case we get somebody.

Roger Emmons: I mean it's when they had minors out there; there are beds and dresser drawers and things like that.

Marlin Weisheit: A few old chairs and couches, yeah, and they're old.

Don Williams: Okay, do I have a motion to declare the two (2) cabinet's surplus?

Rick Reid: I thought you did?

Marlin Weisheit: I'll make that a motion.

Don Williams: No, I didn't.

Rick Reid: Okay, second.

Don Williams: I have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Roger Emmons: Thank you very much.

#### **Health Department ~ Donation Fund for Animal Control**

Roger Emmons: The last thing is the Health Department Donation Fund for Animal Control. There were some recent emails regarding this and I would suggest Todd take a look into the procedure for establishing that ordinance. This came up when there was a group established, animal group...I can't remember...Guardians for Pets or something...

Allan James: W-A-G, wag.

Roger Emmons: Okay, wag, and they were going to have an auction and basically Allan discovered from State Board of Accounts that they have to have a Donation Fund. We have several in the county including a Highway Donation Fund, that's the proper way to deposit funds if people want to donate. For an example for the Animal Control they could buy dog food or whatever they wanted to with it.

Don Williams: Okay yeah, I think we need to do that. We got several people wanting to help so...You might check with Crystal, their Counselor and see what they're thoughts are.

Todd Glass: Yeah, I can do that. I believe it requires a Resolution perhaps from the Board or some approval from the Commissioners if I remember right.

Roger Emmons: If you want I can check with Tammy White at State Board of Accounts and see...

Todd Glass: That's fine, yeah, let me know what you find out and I'll take it from there.

Roger Emmons: Sure will, that's all I have gentlemen, thank you very much.

Don Williams: Okay, thank you.

## **COUNTY CLERK**

### **Agreement to Provide Professional Consulting Services ~ Dossett Consulting, LLC**

Don Williams: County Clerk, you've been patiently waiting, if you'd like to...

Roger Emmons: Hi, Sarah.

Sarah Redman: Hi, Roger, Sarah Redman, Warrick County Clerk.

Don Williams: Yes, Ma'am, what are you here for?

Sarah Redman: I am here for an Agreement to provide Professional Consulting Services, it's called Dossett Consulting and this is in regards to our Child Support Office. We have monthly reporting that we do regarding IVD4 Claims and I would like to give Dossett a try.

Todd Glass: Mr. President, the Clerk forwarded to me the proposed agreement to provide consulting services with Dossett Consulting, I proceeded to communicate back and forth with him and I revised this agreement in numerous ways, he accepted all of my revisions. It's an Agreement to provide Consulting Services to the Clerk at five hundred dollars (\$500.00) per month but this revised agreement gives the Clerk great latitude to terminate at her decision so it's got a great exit strategy, all she has to do is decide it's over.

Don Williams: So you're fired...

Todd Glass: Yep, basically so I have vetted the agreement and I can concur with it. And I have it here with me actually for...

Don Williams: Signing?

Todd Glass: Signed copies by Mr. Dossett, ready for the Commissioners approval.

Don Williams: What's the will of the Board?

Marlin Weisheit: I make a motion to approve the contract with Dossett Consulting, LLC. for the County Clerk Child Support Office.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0). Thank you.

Todd Glass: Thanks, Sarah.

Sarah Redman: Thank you, Gentlemen.

## **COUNTY AUDITOR**

Don Williams: Does the Auditor have anything?

## **COUNTY PURCHASING**

Don Williams: Purchasing, do you have anything?

## **COUNTY ATTORNEY**

Don Williams: County Attorney, do you have anything?

Todd Glass: Nothing other than, Mr. President I would like to thank and appreciate Mr. Adam Long, he's being extremely helpful to me and to the Board as he prepares for numerous file transfers and I just wanted to let the Commissioners know my appreciation for Adam.

Don Williams: Okay, thank you.

Rick Reid: Appreciate it.

Todd Glass: Well noted.

Don Williams: Anything else?

Roger Emmons: I do have one (1) question, Todd; on Sarah's item of business, do you have the three (3) originals?

Todd Glass: Yes, these are four (4) originals right here.

Roger Emmons: Oh, there's four (4)?

Todd Glass: I don't know why he sent four (4) but we have four (4), so, we'll have four (4) and you're welcome to one (1).

Roger Emmons: Okay, and he signed them all and I think they were also required a notarization on one (1) of the pages.

Todd Glass: Correct and...yes, his other certification is attached also.

Roger Emmons: Thank you, Todd.

Don Williams: Anything else, Mr. Attorney?

Todd Glass: No, Mr. President.

## **COUNTY ENGINEER**

### **Bridge 371 ~ Recommendation for Acceptance – Project Complete**

Don Williams: County Engineer.

Bobby Howard: Yes, Sir, I have two (2) items tonight, the first one on here on the agenda is the form we need to fill out, the INDOT, and it's a Report of Contract Final Inspection recommendation for acceptance for Contract "B" 29596, that's Bridge 271...

Don Williams: 271 or 371?

Bobby Howard: It's 271 on Yankeetown Road...

Roger Emmons: So it's 271, not 371?

Bobby Howard: Did they put 371 on here?

Roger Emmons: Yeah, she's got 371.

Bobby Howard: Well, that's probably my fault. And this has been inspected, the final item that we were holding up on before we gave our approval were timber curving did not meet INDOT's specifications and now that's been approved and it's been changed out and I would recommend acceptance of the bridge.

Don Williams: Who made out these contracts? Mr. Dossett?

Todd Glass: Excuse me?

Don Williams: Mr. Dossett make out the contracts?

Rick Reid: You misspelled my name on there.

Don Williams: You misspelled Commissioner Reid's name.

Todd Glass: You know, I wasn't really looking at your name spelling, I apologize, I got the important stuff though.

Don Williams: No, he just put an 'i' through the second 'e'.

Rick Reid: I corrected it, is that okay?

Todd Glass: I'm sorry.

Rick Reid: Is that okay?

Todd Glass: Oh, yes, it does not invalidate the contract. I apologize.

Rick Reid: That's okay.

Don Williams: Just wanted to see if you were on your toes.

Rick Reid: That's right.

Todd Glass: How about Richard? Did they get that?

Roger Emmons: No, they did Rick; but Read instead of Reid so...

Marlin Weisheit: It's amazing he got mine right but messed his up.

Don Williams: Do you have anything else, Mr. Engineer?

Bobby Howard: We need to vote on acceptance of this.

Marlin Weisheit: I'll make a motion to pass the acceptance recommendation for acceptance for Bridge 271.

Rick Reid: Second.

Don Williams: Okay, a motion and a second to accept Bridge 271. All in favor say aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Bobby Howard: Okay, and the next item I have I was asked to submit, it'd be Ordinance number...

Roger Emmons: 2014-04.

Bobby Howard: 2014-04, it's an Amendment to Ordinance 2007-01, An Ordinance of the Board of Commissioners of Warrick County to Establish a Department of Storm Water Management. Basically this Ordinance changes the Storm Water service charge per ERU and reduces that rate by the ten percent (10%) that the Storm Water Board I believe agreed upon already and we need to follow up approval of this Ordinance by the County Commissioners.

Don Williams: It's a reduction from five dollars (\$5.00) to four fifty (\$4.50) per EDU?

Bobby Howard: Yes.

Rick Reid: I'll make a motion to approve.

Marlin Weisheit: Second.

Don Williams: Motion and a second to approve Ordinance 2014-04. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries.

Bobby Howard: And then I believe this is the first reading so it'll need to go on the January 27<sup>th</sup>...

Rick Reid: Can we make an exception because we made a unanimous?

Don Williams: That's true, unanimous I think we're okay.

Rick Reid: We can make an exception.

Roger Emmons: Yeah, there's a series of motions they have to make...Marlin had that process written down at one time...

Bobby Howard: To waive the rules and...

Roger Emmons: To introduce on the night of introduction...

Don Williams: Yeah, we would have to waive the rules and then we'd have to make another motion to approve it. Second and third reading, there's no reason it can't come back on the 27<sup>th</sup>.

Roger Emmons: No. It'll be listed on that agenda.

Don Williams: Anything else, Mr. Engineer?

Bobby Howard: No, that's all I have thank you.

## **COUNTY HIGHWAY**

Don Williams: Anything from the Highway area?

Bobby Howard: No, Sir.

Don Williams: How's our chip and seal roads doing?

Bobby Howard: Terrible. Due to the constant freezing/thawing the roadways are falling apart a lot sooner than normal. We're hoping we can keep the pot holes repaired and be able to keep them at least maintained as chip and seal and not have to turn anything back to rock.

Marlin Weisheit: Are you still okay on salt for now?

Bobby Howard: Yes, I'm still waiting to hear from the salt company, I've been told now that I think it's the 25<sup>th</sup> of January they're expecting a barge in but we have plenty in the mean time.

Don Williams: Anything else?

Bobby Howard: No, Sir.

COUNTY SHERIFF

Don Williams: Sheriff, do you have anything?

Sheriff Kruse: No, Sir.

Don Williams: You're Jail Report was excellent by the way, I read every word.

Sheriff Kruse: Thank you.

Don Williams: Thank you for that.

COMMISSIONERS ITEMS FOR DISCUSSION

Commissioner Williams: Do you have anything, Commissioner Reid?

Commissioner Reid: No.

Commissioner Williams: Do you have anything, Commissioner Weisheit?

Commissioner Weisheit: No, Sir.

Commissioner Williams: I'll entertain a motion...oh...

Commissioner Reid: We do have one (1) thing, you want a date, the one things have to be submitted to the Commissioners, right now it's from...

Commissioner Williams: Oh yeah, discussing earlier, we often have a problem with getting our agendas ready on time due to we let people submit stuff all the way up to Friday afternoon at 2:30. I'd like to back that up and County Council, what's theirs, Roger, two (2) weeks? They have a two (2) week gap between theirs if I remember right.

Roger Emmons: I'd have to ask Krystal, I'm not sure.

Commissioner Williams: But I would like to back that up to the close of business on Wednesday before the Monday meeting and if there's an emergency then it can be approved by the President if it's agreeable to you all.

Commissioner Weisheit: That's fine with me.

Commissioner Reid: Do you need a motion for that?

Commissioner Williams: I would.

Commissioner Reid: Okay, I'll make a motion to approve that.

Commissioner Weisheit: Second.

Commissioner Williams: Motion and a second. All in favor say aye.

Commissioner Weisheit: Aye.

Commissioner Reid: Aye.

Commissioner Williams: Aye. Three (3), zero (0). That'd take a little stress off Susie too trying to get things done at the last minute.

Roger Emmons: Sure.

Commissioner Williams: Well, it'll give at least two (2) full days to look at something. A lot of times if it comes in at 2:30 we got until the following Monday at the same time as...okay, having no other business I'll entertain a motion.

Commissioner Reid: Motion to adjourn

Commissioner Weisheit: Second.

Commissioner Williams: Motion and a second. We are adjourned, gentlemen.

WARRICK COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
DON WILLIAMS, PRESIDENT

\_\_\_\_\_  
RICHARD A. REID, VICE PRESIDENT

\_\_\_\_\_  
MARLIN WEISHEIT, MEMBER

ATTEST:

\_\_\_\_\_  
L.B. DUGAN, AUDITOR  
WARRICK COUNTY, INDIANA